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UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

JAMES HOUSTON HICKS,  
Plaintiff

CIVIL ACTION  
SECTION "P"  
1:09-CV-01268

VERSUS

TIM WILKINSON, et al.,  
Defendants

JUDGE DEE D. DRELL  
MAGISTRATE JUDGE JAMES D. KIRK

**J U D G M E N T**

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, noting the absence of objections thereto, and concurring with the Magistrate Judge's findings under the applicable law;

IT IS ORDERED that Hick's complaint against Dr. Pacheco is dismissed without prejudice pursuant to Fed.R.Civ.P. 4(m).

IT IS FURTHER RECOMMENDED that defendants' motion for summary judgment is GRANTED and Hicks' action against defendants is DENIED AND DISMISSED WITH PREJUDICE.

THUS ORDERED AND SIGNED in Chambers at Alexandria, Louisiana, on this 24<sup>th</sup> day of MAY, 2011.



DEE D. DRELL  
UNITED STATES DISTRICT JUDGE